

REGULAR MEETING
AGENDA

Wednesday, April 19, 2006 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

CONTINUATION OF PUBLIC HEARINGS

Opened on March 29, 2006 and immediately continued to tonight, April 19, 2006. Since no testimony, comment, or additional information was provided to the ZBA on March 29th, the seated ZBA members for these requests are those present tonight.

CALENDAR NO. 18-2006

The application of Gleason & Associates LLC on behalf of Douglas R. Munro and Rebecca A. Munro filed on January 18, 2006 for interpretations of Sections 820 and 908f, and for variations of Sections 382, 406, 820, and 908f as necessary of the Darien Zoning Regulations, to allow the maintenance of the existing structure and parking, the modification of an open porch with HVAC equipment, and the construction of second floor dormer additions; Section 820: an interpretation that the cost of proposed renovations will not exceed 50% of the value of the residence; Section 908f: an interpretation that the existing garage parking spaces satisfy the parking requirements; Section 382: enlargement of a non-conforming, two residence use of the property; Section 406: 16.0 in lieu of 40.0 feet minimum required west rear yard setback for the open porch and equipment modification; 17.0 in lieu of 40.0 feet minimum required west rear yard setback, and 29.0 in lieu of 40.0 feet minimum required south rear yard setback for the second floor dormers; Section 820: maintenance of existing first floor living space at 11.3 in lieu of 14.0 feet minimum required floor elevation, and reconstruction of the open porch at 10.8 in lieu of 14.0 feet minimum required floor elevation; and Section 908f: maintenance of the existing garage parking spaces in the west rear yard setback. The property is situated on the southwest side of Rings End Road approximately 210 feet northwest of the intersection of Rings End Road and Goodwives River Road and is shown on Assessor's Map #51 as Lots #1 and 2, being 102 Rings End Road and located in an R-1 (residential) Zone.

CALENDAR NO. 20-2006

The application of L. Morris Glucksman, Esq. on behalf of Maritza Rozas filed on February 22, 2006 for an interpretation and variation if necessary of Section 382 of the Darien Zoning Regulations to allow the construction of a second story dormer addition. Section 382: enlargement of a non-conforming, two residence use of the property. The property is situated on the north side of Old Kings Highway South approximately 200 feet west of the intersection of Andrews Drive and Old Kings Highway South and is shown on Assessor's Map #63 as Lot #42, being 72-74 Old Kings Highway South and located in an R-1/3 (residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 17-2006

The application of James Donnelly on behalf of David Cobb & Lauri Searan filed on January 18, 2006 for a variance of Section 406 of the Darien Zoning Regulations, to allow the construction of an entry door and garage roof overhang, and the construction of gable end roof rakes and returns; Section 406: 37.4 in lieu of 40.0 feet minimum required front yard setback. The property is situated on the west side of Cliff Avenue approximately 400 feet north of the intersection of Cliff Avenue and Tokeneke Road and is shown on Assessor's Map #36 as Lot #52, being 15 Cliff Avenue and located in an R-1/2 (residential) Zone.

CALENDAR NO. 24-2006

The application of Patricia & William Coleman filed on March 22, 2006 for interpretations of Sections 371 and 385; and a variation of Section 334 of the Darien Zoning Regulations to allow the construction of a replacement one and one half story dwelling with a cupola. Section 371: a determination that the proposed 10.0'x 10.0' by 9.0' high roof structure (cupola) is an acceptable architectural feature exempt from the height regulations; Section 385: a determination that the subject lot is a legal nonconforming building lot with 22,732 in lieu of 43,560 square feet minimum required lot size; and Section 334: construction on a portion of the lot with 124.5 in lieu of 150.0 feet minimum required lot depth. The property is situated on the west side of Juniper Road approximately 400 feet east of the intersection of Nearwater Lane and Juniper

Road at the corner of Periwinkle Cove and is shown on Assessor's Map #57 as Lot #20, being 3 Juniper Road and located in an R-1 (residential) Zone.

CALENDAR NO. 25-2006

The application of Erich Diller of EJ Diller Design, LLC on behalf of Robert Gadsden filed on March 22, 2006 for variances of Section 406 of the Darien Zoning Regulations, to allow the reconstruction of first floor and second floor porches and the construction of second floor and attic bay windows. Section 406: 4.8 in lieu of 20.1 feet minimum required side yard setback relative to the north property line; and 9.9 in lieu of 26.5 feet minimum required side yard setback relative to the south property line. The property is situated on the west side of Five Mile River Road approximately 200 feet south of the intersection of Five Mile River Road and Davis Lane and is shown on Assessor's Map #67 as Lot #22, being 116 Five Mile River Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 28-2006

The application of Neil Hauck, AIA on behalf of The Darien Historical Society filed on March 22, 2006 for variances of Sections 615 and 944 of the Darien Zoning Regulations, to allow the construction of two story additions. Section 615: 6,355 in lieu of 5,179 square feet maximum allowable floor area; and Section 944: 4.0 in lieu of 25.0 feet minimum required landscape buffer abutting the adjacent residential zone lot. The property is situated on the east side of Old Kings Highway North approximately 100 feet south of the intersection of Brookside Road and Old Kings Highway South and is shown on Assessor's Map #35 as Lot #43, being 45 Old Kings Highway South and located in a DB-1 (commercial) Zone.

CALENDAR NO. 29-2006

The application of Robert F. Maslan, Jr., Esq on behalf of Dolcetti, Inc. and Ching's Kitchen filed on March 22, 2006 for variances of Sections 655e, 656c and 904 of the Darien Zoning Regulations, to allow the construction of a walk-in refrigerator/freezer and usage of third floor restaurant storage space; Section 655e: usage of 3 in lieu of 2 maximum stories; Section 656c: a determination of parking requirements; and Section 904: 38 in lieu of 82 minimum required parking spaces. The property is situated on the northwest side of Boston Post Road approximately 120 feet northeast of the intersection of Boston Post Road

and Day Street and is shown on Assessor's Map #73 as Lot #30, being 973-989 Boston Post Road and located in the CBD (commercial) Zone.

GENERAL MEETING

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their legal responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Discussion, deliberation and possible decisions for Public Hearing request items listed above.
2. Requested amendment to the approved plans of Calendar No. 86-2005, Anthony and Dianne Covello, 34 Birch Road.
3. Requested amendment to the approved plans of Calendar No. 39-2005, Krzysztof & Iwona Dziedzic, 22 Cherry Street.
4. Requested three month extension to obtain all required permits and begin on-site construction for ZBA Calendar No. 39-2005, Krzysztof & Iwona Dziedzic, 22 Cherry Street. The Public Hearing of this matter was May 25, 2005. Initial ZBA approval would have expired on December 9, 2005. Following a November 18, 2005 request, on November 30, 2005 the ZBA granted a six month extension to June 9, 2006.
5. General discussion of Application Materials.
6. Any other business (requires 2/3 vote of members present and voting).